

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LIVEUNIVERSE, INC.,

Plaintiff,

v.

**RENE MUIJRERS, ICONV SPRL,
TECHIE HOSTING, INC, VIRALHOG,
LLC, CHRISTOPHER VANDEVYVER,
IVAN RUSSO, KMMT, LLC, THEODORA
HATZIKOSTAS, BRENT MAGGIO,
RYAN BARTHOLOMEW, and WAYNE
ANASTASIAS,**

Defendants.

Civil Action No. 2:22-cv-04918

Hon. Esther Salas, U.S.D.J.

**DECLARATION OF
LESLIE A. FARBER**

1. I, Leslie A. Farber, Esq, am local counsel for the Plaintiff in the above captioned case, and have personal knowledge of the facts stated herein. Plaintiff's New York counsel for the Plaintiff is Maria Isabel S. Guerrero, Esq. It has been anticipated that a motion to admit Ms. Guerrero pro hac vice will be filed.

2. I make this Declaration in support of the Motion of Leslie A. Farber, LLC, and myself as local counsel for Plaintiff in the above captioned case, to withdraw from this case, to allow Plaintiff thirty (30) days to secure new local counsel, stay any pending hearings and deadlines, accordingly, and to permit me to submit a separate confidential Declaration to the Court for in camera review and to Plaintiff and its pro hac vice attorney only.

3. New York attorney Maria Isabel S. Guerrero, Esq., has been and remains Plaintiff's attorney.

4. I was retained to act as local counsel only for Plaintiff on or about June 8, 2022.

5. Plaintiff's Complaint against Defendants was filed August 4, 2022. (ECF No. 1).

6. I am filing the within Motion because of numerous and ongoing disputes between myself and the Plaintiff and pro hac vice counsel over the scope of my representation, the apportionment and control of tasks, drafting of documents, the Plaintiff repeatedly insisting upon taking actions or not taking actions with which I have had a fundamental disagreement, making my representation unreasonably difficult by the Plaintiff, and other confidential matters that would be detailed in a separate confidential Declaration to be filed under seal for in camera review if the Court allows.

7. Within the past day, the client has falsely accused me of breach of fiduciary duties and theft of the client's funds from payment of counsel fees.

8. I believe that my withdrawal at this time can be accomplished without any material adverse effect on the interests of the Plaintiff as the New Jersey Rules of Professional Conduct dictate or on the posture of the case. I also believe that my withdrawal would not cause prejudice to any litigant, cause harm to the administration of justice, or delay resolution of the case.

9. There currently are pending a Motion to Dismiss Plaintiff's Complaint filed by Defendants, ViralHog, LLC, KMMT, LLC, Brent Maggio, and Ryan Bartholomew (ECF No. 7), and a Motion to Consolidate this case with number 2:21-cv-20054, filed by Plaintiff (ECF No. 36 in the 2:21-cv-20054 case). Any opposition to the Motion to Dismiss has not been filed yet and is due to be filed by October 24, 2022. No party has filed an Answer in the case and the case has not progressed past the pleading stage.

10. I have filed a separate motion to withdraw from case 2:21-cv-20054 (Plaintiff is Palisades Capital, Inc.) for the same reasons stated herein.

11. A status conference by telephone is scheduled to take place on October 5, 2022, at 12:00 p.m. Plaintiff's New York attorney, Maria Isabel S. Guerrero, Esq., who has been admitted

pro hac vice in the 2:21-cv-20054 case, has stated that she is unable to participate in this conference. Today I filed a request that this conference be rescheduled for various reasons. An initial conference to set a discovery has not taken place yet, but is scheduled for January 25, 2023, at 11:30 a.m. before Magistrate Judge James B. Clark.

12. No discovery has taken place and no trial date has been set.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: October 3, 2022

/s/ Leslie A. Farber
Leslie A. Farber
eMail: LFarber@LFarberLaw.com